

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR, MINNESOTA

October 21, 2019
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Shawn Mueske, Kathy Schwantes, Vicki Davis, Fernando Alvarado, Julie Asmus, Andrew Plowman, and Audrey Nelsen. Present 9, Absent 0.

Also present were Interim City Administrator Brian Gramentz, Police Chief Jim Felt, Finance Director Steve Okins, Public Works Director Sean Christensen, Fire Chief Frank Hanson, Human Resource Director Samantha Beckman, City Clerk Judy Thompson, and City Attorney Robert Scott.

There were no additions or deletions to the agenda.

Council Member Fagerlie moved to approve the agenda. Council Member Nelsen seconded the motion which carried.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of October 7, 2019
- B. Willmar Municipal Utilities Board Minutes of October 14, 2019
- C. Application for Exempt Permit – Diamond Edge Figure Skating Club
- D. Accounts Payable Report October 3 -15, 2019
- E. Human Rights Commission Minutes of August 20, 2019
- F. Invest in Willmar Board Meeting Summary of September 11, 2019

Council Member Mueske offered a motion to approve the Consent Agenda. Council Member Fagerlie seconded the motion which carried.

No one was present to speak during the Open Forum.

The Public Works/Safety Committee Report for October 9, 2019 was presented to the Mayor and Council by Council Member Plowman. There were four items for consideration.

Item No. 1 Staff brought forth, for information, the Fire and Police Department statistics for the month of September and the success of the Open House at the Fire Station. This item was for information only.

Item No. 2 It was the recommendation of the Committee to approve Change Order No. 1 for Project No. 1903-A in the amount of \$5,710.

Resolution No. 19-164 Accepting Change Order No. 1 for Project No. 1903-A was introduced by Council Member Plowman. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 3 It was the recommendation of the Committee to approve the professional services contract with Bolton and Menk, Inc. for the Robbins Island Parking and Watermain Improvement project in the amount of \$199,550.

Resolution No. 19-165 Awarding the Robbins Island Parking and Watermain Improvements Professional Services Agreement to Bolton & Menk, Inc. in the Amount of \$199,550 was introduced by

Council Member Plowman. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 4 It was the recommendation of the Committee to approve Change Order No. 6 for the Civic Center Ice System Replacement project in the amount of \$30,714.

Resolution No. 19-166 Accepting Change Order No. 6 for the Civic Center Ice System Replacement Project was introduced by Council Member Plowman. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

The Public Works/Safety Committee Report of October 9, 2019, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Plowman. Council Member Nelsen seconded the motion, and carried.

The Finance Committee Report for October 10, 2019 was presented to the Mayor and Council by Council Member Nelsen. There were five items for consideration.

Item No. 1 In accordance with the City's donation protocol established in 2016, the third quarter 2019 activity was reviewed. Two donations were received of \$600.00 from AgCountry Farm Credit Services for the Park and Recreation Scholarship Program and \$2,000.00 from Willmar Lakes Rotary for the Park and Recreation Scholarship Program. These donations have been acknowledged by the City Administrator by expressing the community's appreciation to the donors. It was the recommendation of the Committee to introduce a Resolution to accept donations received during the third quarter of 2019.

Resolution No. 19-167 Acknowledgement of Donations was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 2 Parcels No. 95-668-1700, 95-668-4900, and 95-913-1115, all of which are vacant lots, have been forfeited to the State of Minnesota for non-payment of property taxes. As such Kandiyohi County has valued these parcels at \$300, \$100, and \$200, respectively. There are no special assessments owing against said parcels. It was the consensus of the committee to send this matter back to Public Works Director Sean Christensen, prior to authorizing the County to sell these parcels, to provide further clarification of why the City would not benefit from owning them, particularly because of their location and storm water issues.

Following discussion, Council Member Fagerlie offered a motion that the City purchase Parcel No. 95-913-1115 for the amount established by the County Auditor. Council Member Mueske seconded the motion.

Public Works Director Sean Christensen stated the City could benefit from purchasing said lot for stormwater management.

The motion then carried on a roll call vote of Ayes 8, Noes 0.

Item No. 3 It is the policy of the City to temporarily exempt from assessments certain lands currently used for agricultural purposes. Annually, contact is made with the listed land owners to ascertain their desire to place the land in agricultural use for the upcoming crop year. Staff presented the proposed resolution listing the property owners who have made application for Agricultural Land Exemption for 2020 and have met the criteria contained in the City's Comprehensive Assessment Policy. It was the recommendation of the Committee to introduce a resolution approving the Agricultural Land Exemption of Special Assessments.

Resolution No. 19-168 Approving Certification of Agricultural Use for Temporary Exemption/Subsequent Deferment of Special Assessments was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 4 Proposed rate changes by the Willmar Municipal Utilities were presented and reviewed. If approved, a new rate would be added for electric vehicle charging. Further, water rates are being proposed through 2023 and there will be a newly added formula for the Electric Energy Acquisition Adjustment. The committee requested information on how these water rates compare to like communities which will be distributed with the council agenda packet. There was also discussion about the utility improvement charge instituted by the City several years ago which is used to fund a portion of the debt service payments for the City's 10-year street program bonds. This will be discussed at a future meeting. It was the recommendation of the Committee to introduce a Utility Rate Ordinance and set a public hearing for November 4th, 2019, regarding the proposed utility rate changes.

Following discussion, Council Member Nelsen offered a motion to **introduce an Ordinance Amending Rates Charged by the Municipal Utilities Commission of the City of Willmar, A Public Utility, to be Effective for Revenue Months on and After January 1, 2020** and set a public hearing for November 4, 2019 at 7:01 p.m. Council Member Fagerlie seconded the motion which carried.

Council Member Nelsen offered a motion to approve publication of said Ordinance Amending Rates Charged by the Municipal Utilities by summary due to the length and cost of publishing entire Ordinance. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 5 Chair Nelsen asked that any further requests, concerns, or questions for the Mayor's Proposed 2020 Budget be submitted to City Administrator Gramentz soon. The PIR Fund was briefly discussed with further consideration to take place at future meetings. The Finance Committee meeting calendar and future agenda items were summarized as well. This item was for information only.

The Finance Committee Report of October 10, 2019, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Nelsen. Council Member Plowman seconded the motion which carried.

The Community Development Committee Report for October 14, 2019 was presented to the Mayor and Council by Council Member Fagerlie. There were six items for consideration.

Item No. 1 Staff explained how overlay districts are a way to have multiple zoning, incentive and historic overlaying policies for particular areas. For instance, that the Opportunity Zone could have a heritage, Renaissance Zone, and Incentive overlays. These overlays can be permanent or have a renewal date – where they can either be renewed, revised or allowed to expire.

An example presented by staff was a heritage overlay, where certain structures and uses might be designated for preservation of use, or building restoration, renovation, or potential relocation. When evaluating the downtown, most of the area is suitable for redevelopment, while only a small number of buildings and uses were preliminarily deemed of having some heritage significance. Staff mentioned that the entire Opportunity Zone has been surveyed and a preliminary Site Availability Map has been developed, which will be presented to the Committee at a later date once it has been vetted.

Staff also presented some preliminary ideas on how an incentive overlay of the Opportunity Zone might be used to create additional incentives for particular project types. For instance, the City of Moorhead, MN, has a Renaissance Zone, where new and renovation construction projects are eligible for short, medium and longer term tax abatements, depending on their scope. This concept could be an overlay to Willmar's Opportunity Zone. Other incentive overlays of the Opportunity Zone could include free and expedited building permits, free SAC and WAC, and/or sales tax exemptions of some form. The goal being to make the Opportunity Zone irresistible to development.

It was the recommendation of the Committee to direct Planning and Development Services Department to continue its pursuits to further develop incentive and heritage overlays for the Opportunity Zone.

Council Member Fagerlie offered a motion to approve the Committee's recommendation. Council Member Mueske seconded the motion which carried.

Item No. 2 Staff highlighted their efforts to launch the development of an updated Comprehensive Plan for the City of Willmar. To create a Scope of Work package for a proposal of services from Mid-Minnesota, an outline in the form of a table of contents has been developed, a boilerplate Comprehensive Plan was created, and a list of data-mining needs for various maps, tables and figures was made. Staff informed the Committee that the three items were submitted to Mid-Minnesota, so they can provide a cost of services proposal for later consideration by the committee. Staff also mentioned that once the proposal is accepted and the project to update Willmar's Comprehensive Plan is funded, that the intent is to request the creation of a Comprehensive Plan Task Force to guide the process and lead the vetting of the plan through the Planning Commission, other committees and community workshops. It is believed that it may take up to 18-24 months to complete the new Comprehensive Plan. This item was for information only.

Item No. 3 Chair Fagerlie stated that he was contacted regarding City Ordinance 1384 related to where sex offenders may live within the City of Willmar. Specifically, that Sec. 10-78 (e)(5) allows an exception to where a sex offender may live, by allowing them to live in the primary residence of the person's parents, grandparents, siblings, spouse or children. The complaint was regarding a known sex offender that is living at an allowed location where the homeowner has a felony criminal record, and that there has been a recent arrest. Conditions, that may negate the positive intents of the exception to the city's sex offender residence location rule. It was the recommendation of the Committee to forward to Public Safety the need to review and potentially amend Sec. 10-78 (e)(5) to prohibit the exception if the family member owning the primary residence has a felony conviction. This item was for information only.

Council Member Fagerlie noted that the minutes should be amended to read that the sex offender is living in a duplex owned by his grandmother who occupies the upper unit and the lower unit is occupied by an uncle who has a felony criminal record, and the nephew who is the sex offender. Thereby, the sex offender is not living in the same unit as the owner of the property. The neighbors are concerned.

Mayor Calvin stated our ordinance was adopted prior to when the State sex offender rules were issued. His concern is if we amend our ordinance, we might have to follow the State rules, which are less strict.

Item No. 4 Chair Fagerlie revisited the City Council's discovery of a lack of compliance verification after cited properties have completed cited lawn mowing and snow removal. Public Works regularly cites lawn and snow maintenance issues; the Building Inspectors only cite these conditions when citing building maintenance infractions. It was the recommendation of the committee to forward to Public Works the need to create some way to certify completion and satisfaction of lawn mowing or snow removal citations. This item was for information only.

Council Member Nelsen called point of order.

Item No. 5 Staff mentioned they would like to develop policy proposals for incentivizing mixed-income housing in the opportunity zone. The committee did not object to using the Opportunity Zone as a pilot for such policies, and directed the department to present its proposals when formalized. This item was for information only.

Item No. 6 Staff highlighted some of the department's current activities for the Committee, which included Willmar's official enrollment in the National Flood Insurance Program (NFIP), as of September 27th, and that NFIP-backed flood insurance is now available to anyone desiring to purchase it. In addition, staff announced that the new Permit Technician's first day will be Monday, October 21st. Staff reported that the department has had 493 permits thus far for projects totaling in value of \$50M and permit revenues of over \$400K. Finally, staff mentioned their plans to develop an excel spreadsheet to maintain development records each sector (retail, institutional, industrial and multifamily housing) on both a biweekly and annual basis. This item was for information only.

The Community Development Committee Report of October 14, 2019, was approved, as amended, and ordered placed on file in the City Clerk's Office upon motion by Council Member Fagerlie. Council Member seconded the motion which carried.

The Labor Relations Committee Report for October 14, 2019 was presented to the Mayor and Council by Council Member Mueske. There were three items for consideration.

Item No. 1 Staff brought an employee request of being able to cash-out more than 40 hours of vacation time per calendar year. After discussion, there was no desire to move the request forward to continue to encourage employees to use their vacation time as time taken away from work. This item was for information only.

Item No. 2 Staff presented the ninth section of the updated employee personnel policy, Sexual Harassment Prevention, and Respectful Workplace Policies. These two policies differ from previous sections because they will apply to members of boards/commission and elected officials in addition to employees. Staff will review the City Charter and add any necessary language related to elected officials and bring back updated policies at our next Committee Meeting. This item was for information only.

Item No. 3 Staff distributed the tenth section of the updated employee personnel policy. At the League's recommendation, staff is utilizing their handbook template and customizing it to Willmar's policies and procedures. This item was for information only.

The Labor Relations Committee Report of October 14, 2019, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Mueske. Council Member Schwantes seconded the motion which carried.

City Administrator presented information in regard to a settlement and release agreement between the City and Judy Thompson.

Resolution No. 19-169 Approving Settlement and Release Agreement Between City of Willmar and Judy Thompson was introduced by Council Member Mueske. Council Member Schwantes seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Schwantes offered the following comments: City Hall Task Force will be touring various city hall sites on November 6th. This will be the second tour for the group.

Council Member Alvarado offered the following comments: Celebrate the Light of the World is looking for volunteers to help set up the display and urged everyone to offer to help out; he sat with AIM members at their city hall, which is held every two years, and he will be sharing their concerns with various departments.

The upcoming Committee meetings will be as follows: Finance Committee – Thursday, October 24th at 5:15 p.m.; Finance & Full Council – Thursday, November 7th at 5:15 p.m. and November 21st at 5:15 p.m. to hold budget conversations; Public Works/Safety Committee – Wednesday, October 23rd at 5:15 p.m.; Labor Relations Committee – Monday, October 28th at 6:15 p.m.; and Community Development Committee – no meeting scheduled.

Mayor Calvin stated the next agenda item is to discuss labor negotiations strategy. This portion of the meeting will be closed for labor negotiations strategy pursuant to Minnesota Statutes, Section 13D.03, subdivision 1(b).

At 7:54 p.m. Council Member Schwantes offered a motion to go into closed session. Council Member Mueske seconded the motion which carried.

The meeting was reopened at 8:45 p.m. by Mayor Calvin.

Council Member Plowman offered a motion to adjourn the meeting with Council Member Mueske seconding the motion which carried. The meeting adjourned at 8:46 p.m.

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 19-164

A RESOLUTION ACCEPTING CHANGE ORDER NO. 1 FOR PROJECT NO. 1903-A.

Motion By: Plowman Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to modify the contract for Project No. 1903-A between the City of Willmar and Duinick, Inc. of Prinsburg, Minnesota by Change Order No. 1 in the increased amount of \$5,710.

Dated this 21st day of October, 2019

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 19-165

A RESOLUTION AWARDED THE ROBBINS ISLAND PARKING AND WATERMAIN IMPROVEMENTS PROFESSIONAL SERVICES AGREEMENT TO BOLTON & MENK, INC. IN THE AMOUNT OF \$199,550.

Motion By: Plowman Second By: Alvarado

Whereas the City of Willmar desires to retain a firm to provide materials and professional services for the Robbins Island Parking and Watermain Improvement Project; and

Whereas a proposal has been made by the firm of Bolton & Menk, Inc. at an estimated cost of \$199,550;

Now therefore be it resolved by the City Council of the City of Willmar that said proposal be accepted and that the Mayor and City Administrator be authorized to execute an agreement on behalf of the City for the same.

Dated this 21st day of October, 2019

s/s Marv Calvin

Mayor

Attest:

s/s Judy Thompson

City Clerk

RESOLUTION NO. 19-166

**A RESOLUTION ACCEPTING CHANGE ORDER NO. 6 FOR THE
CIVIC CENTER ICE SYSTEM REPLACEMENT PROJECT**

Motion By: Plowman

Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to modify the contract for the Civic Center Ice System Replacement Project between the City of Willmar and Cornerstone of Willmar, Inc. of Willmar, Minnesota by Change Order No. 6 in the increased amount of \$30,714.

Dated this 21st day of October, 2019

s/s Marv Calvin

Mayor

Attest:

s/s Judy Thompson

City Clerk

RESOLUTION NO. 19-167

ACKNOWLEDGEMENT OF DONATIONS

Motion By: Nelsen

Second By: Asmus

WHEREAS, the City of Willmar has received donations which have been acknowledged by the City Administrator expressing the community's appreciation for the time period of July 1, 2019 – September 30, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota that the City formally accept the donations as listed below:

\$ 600.00 – AgCountry Farm Credit Services – Park and Recreation Scholarship Program
\$2,000.00 – Willmar Lakes Rotary – Park and Recreation Scholarship Program

Dated this 10th day of October, 2019

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 19-168

RESOLUTION APPROVING CERTIFICATION OF AGRICULTURAL USE FOR TEMPORARY EXEMPTION/SUBSEQUENT DEFERMENT OF SPECIAL ASSESSMENTS

Motion By: Nelsen

Second By: Asmus

WHEREAS, the City Council of the City of Willmar, Minnesota, did order the installation of certain street and other improvements made under Projects No. 0501, 8606, 1404, and 1601, and certain sewer and watermain improvements made under Projects No. 9303 and 9002.

WHEREAS, Section W of the City of Willmar Comprehensive Assessment Policy allows the City to temporarily exempt from assessments certain lands currently used for agriculture purposes; and

WHEREAS, certain property owners have made application to the City for delayed payment of taxes on special assessments and have met the criteria contained in the Comprehensive Assessment Policy for said deferment;

NOW, THEREFORE, BE IT RESOLVED by the Willmar City Council that special assessments as hereinafter designated be certified to the County and deferred until such property is developed or upon approval of the final plat, and that no interest be charged until such time.

BE IT FURTHER RESOLVED that upon development or plat approval that tapping fee shall be based on the project year bid price per front foot or unit, or on the current year costs at the time of connection/platting, whichever is greater:

1.	Gesch Properties LLC c/o LeAnn Isaacson	95-914-2610	
	10785 46 th Place N	Project 9002	\$39,731.66
	Plymouth, MN	Project 9303	20,130.42
		Project 0501	77,504.80
		Project 1404	180,688.13

Section 14, Township 119, Range 35

South 610 feet of Northeast Quarter except West 393.61 feet; Southeast Quarter except South 914.88 feet of West 1085 feet and except parts in plats-Bergquists Estates, Perkins Fifth Addition and Gesch

Park except that part of the South Half of Northeast Quarter described as follows: Commencing 715 feet South and 393.61 feet East of Northwest Corner of Southwest Quarter Northeast Quarter, Thence East to Southwest Corner of Lot 7, Block 7 Erickson's Third Addition, Thence South 70 feet, Thence West to East Line of Welch's Addition, Thence North 70 feet to point of beginning and except part platted into Gesch YMCA Addition and except that part of the South Half of the Southeast Quarter described as follows: Beginning at the Northwest Corner of Lot 2, Block 1, Gesch YMCA Addition, Thence South 548.78 feet, Thence West 363.89 feet, Thence North 54 feet to Southeast Corner of Lot 1, Block 6, Perkins Fifth Addition, Thence continuing North 495 feet to Northeast Corner of Lot 1, Block 4, Perkins Fifth Addition, Thence East along Southerly right-of-way boundary line of Olena Avenue 363.89 feet to point of beginning; except part platted into City of Willmar 12th Street Southeast right-of-way plat. (87.23 acres)

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| 2. | Langsjoen Properties, LLC &
Carter Family Holding, LLC
5709 Bloomington Ave
Minneapolis, MN | 95-903-0010
Project 0501 | \$93,012.00 |
|----|--|-----------------------------|-------------|

Section 3, Township 119, Range 35

Southeast Quarter of Southwest Quarter and Southwest Quarter of Southwest Quarter except the Southerly 350 feet of the Westerly 233 feet of Southwest Quarter of Southwest Quarter and except parts platted as Northwood Estates and Northwood Estates Second Addition; and also except that permanent utility easement described as follows: That part of the Southwest Quarter of the Southwest Quarter described as follows: Commencing at Southwest Corner of said Southwest Quarter of the Southwest Quarter, Thence East 844.61 feet, Thence North 108.96 feet to North right-of-way line of North Shore Way, said point being point of beginning of tract herein described, Thence Northwesterly 50 feet, Thence Northeasterly 100 feet, Thence Southeasterly 50 feet to North right-of-way line of North Shore Way, Thence Southwesterly 100 feet to point of beginning. (64.13 acres)

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| 3. | J & C Enterprises of Central MN
c/o Stephen Jennings
PO Box 639
Richmond | Project 8606

Hidden Valley Estates | \$17,869.51 |
|----|---|---|-------------|

95-308-0010	Sect-08 TWP -119 Rang-35 Lot-001 Blk-001
95-308-0020	Sect-08 TWP -119 Rang-35 Lot-002 Blk-001
95-308-0030	Sect-08 TWP -119 Rang-35 Lot-003 Blk-001
95-308-0040	Sect-08 TWP -119 Rang-35 Lot-004 Blk-001
95-308-0050	Sect-08 TWP -119 Rang-35 Lot-005 Blk-001
95-308-0060	Sect-08 TWP -119 Rang-35 Lot-006 Blk-001
95-308-0070	Sect-08 TWP -119 Rang-35 Lot-007 Blk-001
95-308-0080	Sect-08 TWP -119 Rang-35 Lot-008 Blk-001
95-308-0090	Sect-08 TWP -119 Rang-35 Lot-009 Blk-001
95-308-0100	Sect-08 TWP -119 Rang-35 Lot-010 Blk-001
95-308-0110	Sect-08 TWP -119 Rang-35 Lot-011 Blk-001
95-308-0120	Sect-08 TWP -119 Rang-35 Lot-012 Blk-001
95-308-0130	Sect-08 TWP -119 Rang-35 Lot-013 Blk-001
95-308-0140	Sect-08 TWP -119 Rang-35 Lot-014 Blk-001
95-308-0150	Sect-08 TWP -119 Rang-35 Lot-015 Blk-001
95-308-0160	Sect-08 TWP -119 Rang-35 Lot-016 Blk-001
95-308-0170	Sect-08 TWP -119 Rang-35 Lot-017 Blk-001
95-308-0200	Sect-08 TWP -119 Rang-35 Lot-001 Blk-002
95-308-0210	Sect-08 TWP -119 Rang-35 Lot-002 Blk-002
95-308-0220	Sect-08 TWP -119 Rang-35 Lot-003 Blk-002
95-308-0230	Sect-08 TWP -119 Rang-35 Lot-004 Blk-002

95-308-0300 Sect-08 TWP -119 Rang-35 Lot-001 Blk-003
 95-308-0310 Sect-08 TWP -119 Rang-35 Lot-002 Blk-003
 95-308-0320 Sect-08 TWP -119 Rang-35 Lot-003 Blk-003
 95-308-0330 Sect-08 TWP -119 Rang-35 Lot-004 Blk-003
 95-308-0340 Sect-08 TWP -119 Rang-35 Lot-005 Blk-003
 95-308-0350 Sect-08 TWP -119 Rang-35 Lot-006 Blk-003
 95-308-0360 Sect-08 TWP -119 Rang-35 Lot-007 Blk-003
 95-308-0370 Sect-08 TWP -119 Rang-35 Lot-008 Blk-003
 95-308-0380 Sect-08 TWP -119 Rang-35 Lot-009 Blk-003
 95-308-0390 Sect-08 TWP -119 Rang-35 Lot-010 Blk-003
 95-308-0400 Sect-08 TWP -119 Rang-35 Lot-001 Blk-004
 95-308-0410 Sect-08 TWP -119 Rang-35 Lot-002 Blk-004
 95-308-0420 Sect-08 TWP -119 Rang-35 Lot-003 Blk-004
 95-308-0430 Sect-08 TWP -119 Rang-35 Lot-004 Blk-004
 95-308-0500 Sect-08 TWP -119 Rang-35 Lot-001 Blk-005
 95-308-0510 Sect-08 TWP -119 Rang-35 Lot-002 Blk-005
 95-308-0520 Sect-08 TWP -119 Rang-35 Lot-003 Blk-005
 95-308-0530 Sect-08 TWP -119 Rang-35 Lot-004 Blk-005
 95-308-0540 Sect-08 TWP -119 Rang-35 Lot-005 Blk-005
 95-308-0550 Sect-08 TWP -119 Rang-35 Lot-006 Blk-005

4. Erickson Land Company of Willmar 95-912-0950
 PO Box 628 Project 1601 \$26,156.80
 Willmar, MN

SECT-12 TWP-119 RANG-35

That part of the West Half of Northwest Quarter described as follows: Commencing at the Northwest corner of said Section 12, Thence South 977.23 feet to point of beginning of tract herein described, Thence East 113.15 feet, Thence Northeasterly 120.30 feet, Thence Northeasterly 138.50 feet, Thence Southeasterly 196.87 feet, Thence Southeasterly 318.20 feet, Thence Southwesterly 15.49 feet, Thence Southeasterly 149.81 feet, Thence Southeasterly 153.04 feet, Thence Easterly 193.16 feet to East line of West 40 acres of North 1655 feet of said Northwest Quarter, Thence South 389.82 feet to South line of North 1655 feet of said Northwest Quarter, Thence West 1053 feet to West line of said Section 12, Thence North 677.77 feet to point of beginning, Except that part platted as Trentwood Estates Third Addition.(13.90 acres)

Dated this 21st day of October 2019.

s/s Marv Calvin
 Mayor

Attest:

s/s Judy Thompson
 City Clerk

RESOLUTION NO. 19-169

**RESOLUTION APPROVING SETTLEMENT AND RELEASE AGREEMENT BETWEEN
CITY OF WILLMAR AND JUDY THOMPSON**

Motion By: Mueske

Second By: Asmus

WHEREAS, Judy Thompson has been employed by the City as City Clerk since October 2016;

WHEREAS, Judy Thompson asserted that the City did not pay her overtime compensation she asserts should have been paid while she has been employed as City Clerk;

WHEREAS, the City asserts that Judy Thompson has been paid appropriate compensation during her employment as City Clerk; and

WHEREAS, City and Judy Thompson mutually feel that it is in the best interests of each party that they resolve this matter in accordance with the terms and conditions specified below in this Agreement and avoid the time, expense, effort, and risk of proceeding with any claims Judy Thompson may attempt to pursue against the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar that it:

1. Approves the Settlement and Release Agreement Between City of Willmar and Judy Thompson;
2. Authorizes the Mayor and City Administrator to sign and fully execute the Settlement and Release Agreement Between City of Willmar and Judy Thompson.

Dated this 21st day of October, 2019

s/s Marv Calvin
Mayor

Attest:

s/s Brian Gramentz
City Administrator